

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing proposed amendment, claims 19, 23, 31, 33, and 36 have been amended, and claims ... have been added. Claims 19-??? are pending.

In the Office Action (OA) mailed August 3, 2004, the Patent Office (PTO) rejected:

1. claims 19, 31, and 33 under 35 U.S.C. 112, second paragraph, as being indefinite;
2. claims 19-32 under 35 U.S.C. 101 as being directed to non-statutory subject matter; and
3. claims 19-39 under 35 U.S.C. 103(a) as being unpatentable over Bosco'522 in view of Lockwood'359 and Chapman'386.

Applicants thank the Examiner for the Office Interview dated October 27, 2004, and her suggestions for amending the claimed invention.

Rejection of claims 19, 31, and 33 under 35 U.S.C. 112, second paragraph, as being indefinite

Claims 19, 31, 33 and relevant dependent claims have been amended to provide consistent usage of the term "policies." Therefore, this rejection is moot in view of such amendments, and it is respectfully requested that the rejection under 35 U.S.C. 112, second paragraph, be withdrawn.

Rejection of claims 19-32 under 35 U.S.C. 101 as being directed to non-statutory subject matter

Per the Examiner's suggestions in the aforementioned Office Interview, claims 19-32 have been amended to recite *computerized methods* that use various *computerized databases and modules*. Accordingly, it is respectfully submitted that claims 19-32 conform to those requirements set forth by the PTO for compliance under 35 U.S.C. 101, and it is respectfully requested that the rejection of claims 19-32 under 35 U.S.C. 101 be withdrawn.

Rejection of claims 19-39 under 35 U.S.C. 103(a) as being unpatentable over Bosco'522 in view of Lockwood'359 and Chapman'386

Regarding independent claims 1, 31, and 33, the PTO relied on Bosco'522, Lockwood'359, and Chapman'386 to reject these claims. Specifically, the PTO relied on the combination of Bosco'522 and Chapman'386 to show the claimed "renewal database," "anniversary date," and other claimed features (e.g., policy status database 128 and "Expiration_Date" field and "Policy_Status" field in Bosco'522). The PTO further relied on Bosco'522 to show the claimed "self-bill policies" and "list-bill policies" and an Official Notice that it is "well known in the insurance processing industry that different types of policies are processed in different ways." See Office Action, pp. 9-10. It is respectfully submitted that the aforementioned combination of references is not valid and fails to establish a *prima facie* case of obviousness against the independent claims 19, 31, and 33 as amended (and likewise their dependent claims 20-30, 32, and 34-39) for at least the following reasons.

Bosco'252 may purportedly show a self-administered billing program module 79 and a list billing program module 80 (col. 24, line 32 to col. 25, line 54); Chapman'386 may purportedly

show the claimed “anniversary date” and “renewal database;” also, Official Notice may be taken that it is well known in the insurance processing industry that different types of policies are processed *different ways*. However, the references and Official Notice, singularly or in any combination, do not make obvious to one skilled in the art the claimed method and system wherein:

- Self bill policies and list bill policies are determined from those policies stored in the renewal database as claimed. Indeed, Bosco’522 merely shows a self-administered billing program module 79 and a list billing program module 80, and Chapman’386 merely shows an interaction between a main database and the renewal database. There is nothing one skilled in the art can gather from the two references to make obvious the drawing of policies from the renewal database to the self-administered billing program module 79 and the list billing program module 80.
- The *particular ways* in which a policy is processed based on whether it is a self bill policy or a list bill policy, as amended in the claims. As stated in MPEP 2144.3E, “any facts so [officially] noticed should be of notorious character and serve only to ‘fill in the gaps’ *in an insubstantial manner* which might exist in evidentiary showing made by the examiner to support a particular ground for rejection.” On the contrary, the claimed invention provides *substantial features* based on whether an insurance policy is a self bill policy or list bill policy, which represent great leaps and not mere gaps that could be filled by Official Notice based on the mere teaching of the references of record. To further clarify the claimed invention, the use of “if-then” statements in the pending claims are removed

to confirm the particular features being claimed and clearly identify the *particular ways* different policies are processed. And

- Independent claims 1, 31, and 33 have been further amended to include the *automatically storing* of certain information from the computer database to a computerized renewal database (claim 19C(i)(b), claim 31D(i), and claim 33D(i)). Support for this feature can be found in Figures 12, 13A, and 13B and accompanying text on pp. 19-20 of the present application. On the contrary, in Chapman'386, an insurance agent *must manually enter data* gathered from a computer database into the policy status database, which the PTO indicated as the claimed renewal database. See Chapman'386, col. 5, lines +17.

Accordingly, it is respectfully submitted that claims 19-39, as amended, are allowable over the references of record.

New Claims

Claims 40 and 41 have been added to recite a data processing system that comprises a plurality of computer-readable modules and a coupled middleware interface for data passing between at least the two computer-readable modules. It is respectfully submitted that the references of record neither disclose nor make obvious such claimed system. Indeed, Bosco'522 particularly teaches away from the use of multiple different modules and data transfer between those modules because of operational costs, difficulties, and inefficiencies:

In general, the data bases and processing systems currently in use to administer such group insurance plans are actually aggregations of unconnected individual systems each of which has a limited function. The amount of data shared or exchanged among the components of existing systems is minimal. These current

systems are usually old and were designed and installed to support and service an earlier generation of insurance products that did not require processing of the amount of information associated with the insurance products offered today. ***The organization of these existing systems makes it very difficult and expensive to modify and integrate them.***

For example, the sales of group insurance policies would be processed on a sales data processing system and the claims from existing policies would be processed separately on a claims data processing system. Each of these different data processing systems would also be developed based on its own data structures which were often not compatible. Due to the different data structures the various systems must be individually interfaced with each other. This has proven to be expensive and inefficient. In addition, since these current systems were developed as discrete systems, they also have redundant support requirements and are fraught with inconsistencies and operational inefficiencies. For these reasons, the current systems are incapable of efficiently supporting, or being modified to support, the new product development, administration and regulatory reporting requirements of the insurance industry today.

Accordingly, it is an object of this invention to provide a fully integrated information storage, processing and reporting system which will function as a single repository for sales, underwriting, actuarial and management information, for an enterprise and as a single source for processing and reporting it. ***The invention achieves this objective by developing the system based on a single data structure model for a relational data base which is compatible with and accessible to all of the applications programs of the enterprise-wide system.*** The system will provide automated sales support, e.g., tracking and reporting proposals; integrated underwriting tools; improved administration systems (e.g., billing), issuance of certificates, etc.; elimination of redundant data capture; and integrated actuarial tools. The system will improve operations by providing work management tools such as integrated case tracking and status reporting, and by providing on-line reference material, such as underwriting guidelines and legislative bulletins. See col. 1, line 42 to col. 2, line 25.

Because Bosco'522 shows a system that is based on a single data structure model, wherein all application programs of the enterprise-wide system can access data in the relational database, there is no need for a coupled middleware interface in order to transfer data between modules as claimed.

Claims 42 and 43, dependent on claim 40, further include real-time calculation of quoted rates for insurance policies and real-time generation of proposals for such insurance policies.

Support for these claims can be found in at least pp. 12-13 of the specification. It is respectfully submitted that the references of record neither disclose nor make obvious such real-time scheme.

Claims 44-47 further include features neither disclosed nor make obvious by the references of record.

Accordingly, it is respectfully submitted that claims 40-47 are allowable over the references of record.

Filed herewith is an updated Declaration of Sandra Callahan which underscores the importance of these claimed processes to the commercial success which the owner of the patent has enjoyed.

Conclusion

For at least all of the above reasons, it is respectfully submitted that the present invention is neither disclosed nor suggested by the references of record, and the claims now pending patentably distinguish the present invention from the references of record. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited upon the filing of a continuation.

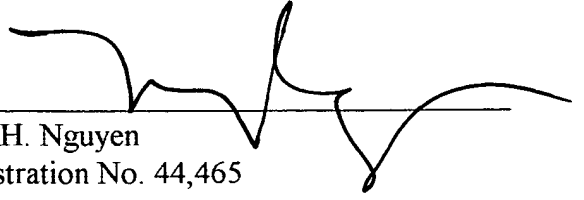
Respectfully submitted,

Date:

1/3/2005

KILPATRICK STOCKTON LLP
607 14th Street, N.W., Suite 900
Washington, D.C. 20005
(202) 508-5800
GTM/THN/33508.261850-US

By:


Tien H. Nguyen
Registration No. 44,465